

CORONER'S INQUEST.

Before David Dayton, Acting Coroner,
and a Hawaiian Jury.

TUESDAY, JANUARY 29, 1884.

The following persons were summoned as jurors to inquire into the cause of the death of the late William Buckle, head jailer of Oahu Prison: Messrs. Henry Swinton, Jacob Fisher, Edwin Hall, William Allen, James Keau and Hiram Kapu. The above-named jurymen were duly sworn in the presence of the body, after which the inquest was adjourned, by order of the Acting Coroner, until 1:30 p. m. on Tuesday, the 29th instant, at the Police Station.

The jury accompanied by the coroner and the Deputy Attorney General, proceeded to the gaol at 2 p. m. They went to the upper room which leads on to the prison roof, and from thence out on the roof. The battlements were measured carefully and found to be 3 feet high and 25 inches wide. The spaces between the battlements 22½ inches each wide, are fenced across. The height from the ground below is 22 feet 6 inches. From thence the jurors went to the room below where Malaihi, the warden, slept and whose window was broken on Sunday morning a few minutes before the finding of the body of the deceased. The window frame was found to be indented 17 inches from the outer surface of the wall. The broken windows were the two upper frames, immediately under the overhanging of the upper ledge of the window aperture. The jury and coroner next passed outside and found the ground where the deceased was found to have been recently raked over and all traces of blood erased with the exception of a bloodstain on the gaol wall, 6 feet distant from where the body was picked up. The jury returned to the Court room at 2:45 p. m.

Dr. Brodie (sworn) stated: I am a physician. On Sunday morning about 6 o'clock I was called to the jail. I met the body being carried over to the house of deceased on Liliha street. I went there also. I examined him, and found life to be extinct. Made an examination of his head. Found two cuts on the left temple. I probed the wounds, and could make out no fracture of the skull. There was considerable bruise about the left side of the face and the left ear was cut. I made no further examination at that time. It was scarcely daylight, and I did not examine him very closely. The cuts and bruises were such as could be made on the coral rocks where the deceased was found.

By the Coroner: Such injuries could have been inflicted by a blunt instrument. The bruises were ragged. The wound on the temple was in two cuts. The external bruises were not sufficient to cause death. If he fell from the height he was supposed to have fallen, death was caused by concussion. I have no doubt but that death was caused by the injuries received at that time. The blood that afterwards issued from the ear could be caused by a fracture of the skull. I re-examined the body on the afternoon of Monday, the 28th instant, in company with Dr. McKibben.

By a juror: I only examined his head. Robert McKibben, sworn, stated: I am a physician and surgeon. I examined the body of William Buckle about four o'clock on Monday last, in company with Dr. Brodie. I afterwards went with Dr. Brodie to the prison to see the place from which he was said to have fallen. I substantially agree with Dr. Brodie in what he said, but from the bruising and rubbing I saw on the face of the deceased, I am of opinion that the injury was more likely to have been caused by the falling on a coral stone, on which he was said to have fallen, than by any blunt instrument.

By a juror: I heard he had fallen, and therefore went to see the spot in order to see what might possibly cause the injuries.

By the Coroner: People do not generally die so suddenly of apoplexy.

Mrs. Glover, sworn, stated: I was at the feast given by Henry Kaai on Saturday night last. I do know what time I went there. It was dark. I did not see Buckle there then. They were dancing when I went there. A little while after I saw Mr. Buckle with his children there. I saw them for about half an hour. He sat outside of the tent. I did not see Buckle go away. I went to the prison in company with the children about 11 o'clock. I left the prison at half-past 11 o'clock. I met Mr. Buckle inside the prison with the children; Malaihi was also present. There was no one present but Mr. Buckle, Malaihi and the family. We sat and talked about the party. We were upstairs. Mr. Buckle did not seem to be under the influence of liquor. I left the prison in company with Malaihi and he accompanied me back to Henry Kaai's. I stayed a short time only and left in company with another woman.

Malaihi, sworn, stated: I am employed at Oahu prison as first turnkey. I have been there a long time. Saturday night Mr. Buckle was in the gaol. I went to the feast to take Kula, w., there between 11 and 12 o'clock. I stopped a few minutes and then returned to the gaol. I went upstairs and saw Mr. Buckle sitting in the dining room. I conversed with him a few minutes and then he went down stairs.

I also went down and sat with the guards in the hall. Don't know what time it was. Mr. Buckle remained in the dining room with his daughters. After a little while Mr. Buckle came down stairs where we were all sitting down, and talked with us. Mr. Buckle and I went into the office to make a calculation. A few minutes afterwards, I said I felt sleepy. I stood up and told Mr. Buckle I was going to bed. As I was going to my room, Mr. Buckle came out of the office and called me back. I went back, and we both went upstairs together and sat in the dining room a few minutes. I then left to go to my room. I left Buckle in the room. That was the last time I saw him alive. We had had a glass of sweet wine during the evening. It was after 12 o'clock when I went to bed. I slept on the makai side of my room which is the extreme eastern end of the gaol, butting on the road. Whilst asleep, I heard a noise that awoke me. I got up. There was no light in my room at the time but there was a light in the passage way near my bedroom door. By the falling of glass I thought it was some of my pictures that had fallen down. I put out my hand and found some broken glass near the mosquito net. I got up and went out and got the light. Paahana, the sentinel guard, heard the noise and came up towards my room. We met just outside my bedroom door. I took the light and looked in my room and saw the window broken. Thinking a stone had been thrown from the outside, I looked for the stone or stick but found nothing. I thought to go outside and see if anyone was there. The guard preceded me. I went down stairs and met the guard returning in the gate way, and he told me that Mr. Buckle was dead. I did not believe him. I went out to see for myself, and found it was as Paahana had stated. There was nobody to be seen at the time. Paahana had the light in his hand and as I approached the body I saw it was Mr. Buckle. I felt very excited and I went right back into the prison. (He described to the jury the position in which he found the body). I sung out "there's trouble" and someone asked "what is it?" I replied "Buckle is dead." We all went out. I went after a door on which to lay the body, as I could not find anything else. I did not see where his hat was. The deceased's coat was tucked up his back, and his shirt was exposed. We laid the body on the door. I saw blood there, but do not know where it came from. The guards carried the body inside the prison. The stewards are the only persons admitted up-stairs, but they only go there when called. We took the body inside the prison, and I asked for something to cover him up, which I got and covered him and sent him to his own house on Liliha street. Mr. Buckle was in the habit of going out on the roof of the prison during the night, in company with myself and his family.

By a juror: I am of the opinion that he fell from above, because I left him upstairs. Waiwai was the guard on duty when Mr. Buckle and I went into the office.

Paahana, sworn, stated: Am guard at the gaol. Was on watch from 3 a. m. to 6 a. m. on Sunday last. After 4 a. m. Buckle came in through the front door. Kaehi was at the gate. Buckle said he had been makai. He then went upstairs. He had a smoking cap on. At 3:45 a. m. I woke Chas. Clark and he came down and opened the doors of stewards rooms, and then he went up. No other person went upstairs until Buckle did. After 5 a. m. I heard a noise, and I said to Wailaia that it was the lamp of the Portuguese woman that was broken. He looked in her room and found that it was not broken. I asked Kaehi if he heard anything, and he replied "Yes." I went towards Malaihi's room, and when near the door he came out and took the lamp out of my hand, and saw the broken window. We said perhaps some drunken man had broken the window with a stone or stick. Searched and could find neither. There was glass inside the room, also a piece of the window frame. I went to Wailaia and told him I was going outside to see who had broken the window. When at the east corner I held up the lamp and it reflected on the body.

At 8:30 p. m. Mr. J. M. Davidson arrived in Court and announced to the Coroner that he had been requested by the family of the deceased to watch the case on their behalf.

Examination of Paahana continued: (Witness here described the finding of the body and his return to Malaihi to tell him what he had seen.) As soon as Malaihi saw Buckle he turned away and went back to the gaol. (The rest of this witness' evidence was in substance the same as that of Malaihi from this stage of the proceedings.)

Cross-examined by Mr. J. M. Davidson: I went on guard at 2 a. m. Three o'clock is my regular time. I came from my house at 2 o'clock and relieved the guard at 2 o'clock. Waiwai was the guard. The guards do as they like about relieving one another. We do not obey the regulations. We can go round outside and leave our place of watch. Nobody gave me permission to go on watch at 2 o'clock and I gave the other guard permission to go. Did not see Buckle go out. Saw him for the first time after 4 o'clock. Buckle could not have gone out without my seeing him. I heard from the guard at the gate that Buckle was out. Buckle spoke to me when he came in. He looked to me

as though he had been drinking. It was dark when he came in. He went up stairs by himself. Half an hour after that I heard a noise. I don't know what it was. Malaihi was the first man I saw after the noise.

Kawaiwai, a guard, testified to Buckle leaving the prison at 1 a. m.

Wailaia, a lamp boy saw Buckle come in. Wailaia, stated that kindly feelings existed between Buckle and Malaihi, and also between Buckle and Paahana. He was not aware that any ill feeling existed between Buckle and anyone in the prison.

Kaehi, sworn, stated:—Last Sunday I was on duty at the upper gate from 3 a. m. to 6 a. m. I did not see Buckle go out. I saw him come back after 4 o'clock in the morning. He spoke to me. His words were "I have been kono-hiding and just got back." After that I heard some rattling after 5 o'clock. The inner guard asked me if I heard a noise, I replied "I did." The inner guard went away. After that I saw the inner guard come out with a lamp. He went out and returned and said that Buckle had fallen. Did not know where from. (Repeated in substance what previous witnesses had stated.)

By Mr. J. M. Davidson. When Mr. Buckle came home he came by himself very quietly. He seemed to be in his usual health. The first noise I heard I thought it was the lamp in the Portuguese room that was broken. Have been guard for two years. Never knew of any difficulty between Buckle and anyone else. Nobody came in that night but Buckle. When I heard the crash I stood at the gate. The first person I saw was the guard with a lantern. He went to the spot where Buckle's body was. On his return he said Buckle had fallen. Malaihi and Paahana went together to view the body of Buckle. I did not hear what they said. I did not see anyone go to the telephone after I heard the crash. I did not leave Malaihi at the telephone.

J. A. Mehrrens, sworn, stated: I first saw Buckle on Sunday morning at his house. I washed and dressed him. He was injured about the head—two scars on the left side—a rough scratch on his cheek, same as if he had slid along some rough surface. His left ear was badly torn and mangled. The first joint of his second finger on the right hand was broken and the flesh was cut right into the bone. On the left hand, the little finger was broken. There was blood oozing from the left ear. I saw no other injuries on his legs or body.

Charles Clark, sworn, stated:—I am the son-in-law of the late Buckle. Paahana came to my door and woke me at quarter to four on Sunday morning. I got up, put on my pants and went down stairs. I had charge of the keys of the cells that night. I went to the box where the keys were kept and unlocked five cells and also the lower gates. I let out the two stewards, lamp boy, Chinese steward and a Spaniard. I went to the gate. A Chinaman brought in the meat and locked the gate again. As I returned to put the keys back, the guard on watch told me that Malaihi had left orders to let his man out. I did not do so. I went to Malaihi's room and asked him if he had given those orders. He said "yes." I then let his man out. I returned and hung up the keys in their proper places, locked the box, took off my pants and went to bed. Some time afterwards I heard some one say "Buckle is in trouble." again I heard "Buckle is dead." I told my wife to telephone for Dr. Brodie and she did so. I went out to where Buckle was lying. I saw the body there. I saw the position he was in. I was excited over it. The first thing I took off his person was his watch. It was in his left vest pocket. There was blood on the watch and the glass was broken. I showed the blood to Marshal Parke on Sunday morning. There was no wound in the neighborhood of the watch from which blood can flow. A number of us went out to view the body. I stayed with the body. I picked up his head. Malaihi had gone off to look for something on which to lay the body. I looked around and his smoking cap was six inches from his head and his right slipper about three inches from his foot, and his left slipper on. His face was towards the sea and he was lying on his left side. I took him to be dead.

Malaihi arrived with a door frame and we got a blanket and placed it on the door and the body on the blanket. After we got him on the door we took the body inside the makai gate and went upstairs. I asked the girls what to do with him and they said "take him up to the house." We did so. I did not accompany the body to the home. I stayed behind to gather such of his clothes as we might want. Malaihi went up with the body. I went afterwards and met Dr. Brodie and told him the body had gone up to the house and he went up there. He was on horseback. I was walking. We both went into the house together. We took the body off the door and laid it on a table and commenced to take off his clothes and put others on. I helped at this work.

By Mr. Davidson:—The bell that awoke me up after I had been up at 4 o'clock. It is a bell that is used only on special occasions to alarm the persons upstairs. I did not know of Buckle going out that night. I heard no noise previous to the alarm bell and the words "Buckle is in trouble." I have heard a dispute between Mr. Buckle and Malaihi. I cannot say they were on bad terms. Mr. Buckle was a very easy going

man. He was very quiet and I have heard Buckle say Malaihi was trying to run the prison instead of him. Also with Paahana: Mr. Buckle always complained of him for being lazy. He is repeatedly found asleep at nights and when Mr. Buckle spoke to him he sauced him back again. I was a witness to Paahana being impudent to Mr. Buckle. At the head of the stairs the first door on the left is my room, further up is the eldest daughter's room and Buckle's bedroom and dressing room is left of the parlor at the head of the stairs. Mr. Buckle's room does not open on to the roof. The dining-room door does. The doors are not locked. The only room doors closed are mine and Mary's. The only person allowed to come up stairs is the policeman to call me. The first witness Kula was the only person outside of the family that came up stairs that evening that I know of. On my return to the house from the party, Mr. Buckle had his night clothes on. When I picked him up he had a gray woollen suit on and no shirt excepting an undershirt.

By a juror:—When I washed him I saw no indication on his body as if there had been a struggle. Dr. Brodie said his skull was not broken. He also said Buckle might have died of apoplexy. Only three of us have access to the box where the keys are kept, and only two keys to that box. Malaihi has one.

At 1:45 a. m. Wednesday the Court adjourned till 1:30 p. m.

WEDNESDAY, JANUARY 30, 1884.

The Court met at 1:45 p. m.

F. J. Testa, sworn, stated: I was at Kaia's last Saturday. I arrived there at 7:30 p. m. I saw Buckle there between 8:30 p. m. and 9 o'clock. I lost sight of him about 10 o'clock. I saw him again that night between 1:30 and 2 a. m. He was there when I left at 4 o'clock on Sunday morning. Harry Auld and Joe Kaiohelo left with me. We separated at the bridge that leads to the prison. Don't know what time Buckle left Kaia's house.

By Mr. Davidson: It was not a drinking party that night. Buckle was perfectly sober when we left. When at the bridge, Auld and I separated. I do not know any Spaniard about the prison.

By a juror: Buckle drank two glasses of port wine that night. Buckle refused to drink gin or whisky that was offered him.

Mary Hoohikiia, a prisoner, stated: I was in the prison last Saturday night. I slept in a room next to Malaihi's—room No. 4. I did not hear any noise until daylight. The first I heard was of Buckle's death. My door was shut. After I got up I went into Malaihi's room, to fix it up. I found broken window glass in the room. There was no glass outside. On the lower side of the sill there was a little blood. On the upper side there was some dirt. I cleaned it off.

By Mr. Davidson: The first person I saw that morning was Malaihi. My door is locked every night. I conversed with the Portuguese, after hearing of Mr. Buckle's death.

Maria Rosa, sworn, stated:—I am an inmate of the prison and my room is next to Malaihi's. I was awake all night with my baby. In the morning I heard an unusual noise. Before I heard the noise of glass breaking. I heard some steps overhead. I heard a noise as if some one was choking. After the breaking of the glass and falling of the body I heard steps overhead. About ten minutes after that I saw Malaihi opening the doors of some of the cells. I asked him what the noise was and he said "its too bad, no good." It was about half-past 4 o'clock. He was dressed in black. I heard the bell ring. I did not see anyone pass to Malaihi's room. I saw Malaihi go to his room about one o'clock in the morning.

By Mr. Davidson:—The first thing I heard of an unusual nature was somebody talking upstairs. They were men's voices. Five minutes after I heard the conversation I heard the struggling, and somebody trying to speak, but could not. About one minute and a half elapsed between the struggle and the breaking of the window. About ten minutes after that I saw Malaihi. I then saw Mary and she said "Boss make." I saw Mary cleaning the blood off the window sill. There were three spots. I had a conversation with Mary that Sunday afternoon.

My room door was open. It is always open. I can see anyone going in or out of Malaihi's room. I saw Paahana and the lamp boy. Malaihi might possibly have passed out without my seeing whilst I was putting my baby to bed. Paahana was in the hall and I did not see him in any other place.

Ane, sworn, stated:—I was in gaol on Saturday night in the third room from Malaihi's. Malaihi opened my door on Sunday morning. It was daylight. I was awake before my door was opened. I heard footsteps overhead as if from the dining-room on to the parapet. I afterwards heard a crash, and after that I again heard footsteps overhead returning to the dining-room. I did not hear anyone going to Malaihi's room after the crash.

Mr. Davidson addressed the jury as follows:—

"Gentlemen of the jury, this has been a very protracted investigation, to some extent owing to the fact that the body was removed from the place where first found. Had it remained, and the Coroner been promptly informed of the fact, the investigation would have been more satisfactory.

Mr. Buckle was a well-known citizen, holding a responsible position, head of a numerous family, highly respected, and on Saturday last was seen by many persons in Honolulu in robust health, and no doubt conversed with by members of the jury. In the evening he was well, and attended an entertainment given by one of his friends, and returning home at an early hour, found it impossible to sleep by reason of the noise created by the celebration of Chinese New Year, and he again revisited this feast and returned home about four o'clock in the morning. He quietly passed into the Oahu prison, where he resided, and ascended to his room. A short time thereafter the unusual occurrence of a window being broken, and the noise attendant, caused an investigation which resulted in finding his body lifeless upon the sidewalk just under the eastern wing of the prison. It was removed to his residence, and owing to the suddenness of the death and unexplained cause, which was a matter of conjecture, the Coroner was informed and as in duty bound, and also for prudential reasons, he caused a jury of six men to be empanelled to investigate, and if possible to find out, whether death resulted from foul means or conspiracy. I was requested by the family of the deceased to be present and assist the Coroner in developing all facts connected with the untimely death of Mr. Buckle, and we had presented to the jury, all the evidence that we could obtain connected with the last part of the life of the deceased, and had given the jury the benefit of all the light we could obtain and possessed upon the subject. As the evidence did not directly implicate anyone in participating in Mr. Buckle's death, it did not behoove me to critically analyse the testimony, and uselessly occupy the time of the jury who had manifested throughout a commendable spirit of patience and impartiality, that their duties now were plain, and it remained for them to discuss together and conclude upon a verdict, and I felt sure that they would perform their duties conscientiously and wisely."

The acting Coroner, Mr. Dayton, summed up and directed the jury in the usual manner, after which they retired to consider their verdict at 7 p. m. At 10:45 p. m. they returned into Court with an unanimous verdict that "Wm. Buckle died on the 27th January, 1884, by a fall from the top of the prison at Kawa, on the Waikiki end, from some cause unknown."

DAVID DAYTON, Acting Coroner.
H. S. Swinton, James Keau, J. Fisher, Wm. Allen, E. J. Hall, Hiel J. Kapu—Jury-men.

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